## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS **EL PASO DIVISION**

2020 FEB -6 PM 3: 14

**DEBBIE ALONZO; TERESA BARBER; TERESA CANGIONO; DIANE MILLER FAWCETT; KIM GUINN: CHARLOTTE HUNTER:** MARIA MOYA; LISA PARDO; THELMA PATE; COLEEN SHIN; AND ANGELINE VASQUEZ WRIGHT, Plaintiffs,

v.

WAL-MART STORES, INC.,

Defendant.

EP-19-CV-00378-FM

## ORDER DENYING MOTION TO STAY DISCOVERY

Before this court is "Motion to Stay Discovery" ("Motion") [ECF No. 11], filed January 29, 2020 by Wal-Mart Stores, Inc. ("Defendant"). Therein, Defendant requests the court stay discovery in this matter until after the resolution of its Motion to Dismiss. Defendant's request is based on the speculation that "Plaintiffs will propound extensive and costly written discovery requests concerning matters that are subject to Walmart's Motion to Dismiss." However, it does not assert Plaintiffs have done so. Additionally, as Defendant has not yet entered an appearance in this matter, the court has not issued a scheduling order setting discovery deadlines.<sup>3</sup> Therefore, the court finds no cause to stay discovery.

<sup>&</sup>lt;sup>1</sup> "Defendant's Motion to Stay Discovery" 1, ECF No. 11, filed Jan. 29, 2020.

 $<sup>^{2}</sup>$  Id. at 1-2.

<sup>&</sup>lt;sup>3</sup> See Local Rule CV-16(c) ("Not later than 60 days after any appearance of any defendant, the parties shall submit a proposed scheduling order to the court . . . ").

After due consideration, it is **HEREBY ORDERED** that Defendant Wal-mart Stores, Inc.'s "Motion to Stay Discovery" [ECF No. 11] is **DENIED**.

SIGNED AND ENTERED this \_\_\_\_\_ day of February, 2020.

FRANK MONTALVO

UNITED STATES DISTRICT JUDGE